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EXAMINER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/697,755 | Applicant(s) NOBUSAWA ET AL. | |
| | Examiner JULIO PEREZ | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/12/09; 09/05/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 10/22/09 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 19 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 19, cites "including a number of codes showing at least whether the remote control codes are predetermined and fixed or variable and assigned by the user," this limitation is not supported in the specification. Thus, claim 19 and their further dependent claims, contain new matter.

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Claims 16, 19, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 16, cites for *“only one” predetermined* and *“for only one predetermined controlling operation,”* i.e., line 11, claim 19. This limitation is not supported in the specification. Thus, claims 16, 19, and 22 and their further dependent claims, contain new matter.

Claim 22 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 22, cites “including a number of codes showing at least whether the remote control codes are predetermined and fixed or variable and assigned by the user,” this limitation is not supported in the specification. Thus, claim 22 and their further dependent claims, contain new matter.

Claim 26 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 26, cites for *“only one” predetermined* and *“for only one predetermined controlling operation,”* this limitation is

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not supported in the specification. Thus, claim 26 and their further dependent claims, contain new matter.

Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 29, cites “*for **only one** predetermined controlling operation*” and “*a step of determining whether the remote control of codes are predetermined and fixed or variable and assigned by s user according to number codes,*” this limitation is not supported in the specification. Thus, claim 29 and their further dependent claims, contain new matter.

Claim 32 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 32, cites “*for **only one** predetermined* , “*a step of determining whether the remote control of codes are predetermined and fixed or variable and assigned by s user according to number codes when the mobile telephone **is set in a third remote control mode,**” and “*for **only one** predetermined controlling operation*”, these limitations are not supported in the specification. Thus, claim 32 and their further dependent claims, contain new matter.*

Claim 36 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 36, cites “*for **only one** predetermined*” and “*for **only one predetermined controlling operation**’*, these limitations are not supported in the specification. Thus, claim 36 and their further dependent claims, contain new matter.

Claim 37 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 37, cites “*for **only one** predetermined*” and “*determining whether the remote control of codes are predetermined and fixed or variable and assigned by s user according to number codes,*” and “*for **only one predetermined controlling operation,***” these limitations are not supported in the specification. Thus, claim 37 and their further dependent claims, contain new matter.

Claim 38 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 38, cites “*for **only one***”

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predetermined and “*determining whether the remote control of codes are predetermined and fixed or variable and assigned by s user according to number codes,*” and “*for **only one** predetermined controlling operation,*” these limitations are not supported in the specification. Thus, claim 38 and their further dependent claims, contain new matter.

Claim 39 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, claim 39, cites “*for **only one** predetermined* and “*for **only one** predetermined second controlling operation,*” these limitations are not supported in the specification. Thus, claim 39 and their further dependent claims, contain new matter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16,19, 22,26, 29,32,36, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al (U.S. Patent No. 6,223,029) in view of Shim (U.S. Patent No. 6,078,270).

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Regarding claim 16, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Col. 3, Lines 22-29 and Col. 7, Lines 56-63) comprising:

storage means for storing a group of remote control codes for only one predetermined controlling operation to be performed on the target equipment (col. 3, lines 30-33; col. 7, lines 56-63, mobile station with control commands to which a device is responsive);

and transmission means for transmitting to the target equipment remote control codes for only one predetermined controlling operation on the target equipment in response to a user operation (col. 7, Lines 49-65, describe the user able to command the target device with control of touch screen, i.e., a controlling operation to control the piece of equipment).

Although Stenman teaches remotely controlling such devices as TV/VCR (Col. 7, Lines 15-21), Stenman does not specifically teach transmitting a group of remote control codes stored in the storage means in response to a user operation. Shim, however, teaches transmitting a group of remote control codes stored in the storage means in response to a user operation (Col. 1, Lines 32-58).

Stenman and Shim are analogous art because they are from a similar field of endeavor in providing control of other devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Stenman with the teaching of Shim of transmitting a group of remote

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control codes stored in the storage means in response to a user operation to provide a more user friendly remote controlling of devices (Col. 1, Lines 32-58).

Regarding claims 19, Stenman teaches a mobile telephone with remote-controlling capability which remote-controls target equipment, comprising:

an operation unit having a plurality of operation buttons (Col. 3, Lines 22-29 and Col. 7, Lines 56-63, mobile station with control commands to which a device is responsive);

storage means for storing various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (Col. 3, Lines 30-33 and Col. 7, Lines 56-63, describes the user able to command the target device with control of touch screen, i.e., a controlling operation to control the piece of equipment), and a part of remote control codes of a group of remote control codes for a predetermined controlling operation on the target equipment (Col. 3, Lines 30-33);

and transmission means for transmitting to the target equipment the remote control code (Col. 7, Lines 49-51, describes the user able to command the target device with control of touch screen, i.e., a controlling operation to control the piece of equipment) associated with an operation button pressed by a user in advance and the remote control code to perform the predetermined controlling operation on the target equipment in response to a user operation (Col. 3, Lines 30-33 and Col. 7, Lines 56-63, user commands the remote device).

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Although Stenman teaches remotely controlling such devices as TV/VCR (Col. 7, Lines 15-21), Stenman does not specifically teach a code definition unit with code numbers and using a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target equipment in response to a user operation. Shim, however, teaches a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target equipment in response to a user operation (Col. 1, Lines 32-58).

Stenman and Shim are analogous art because they are from a similar field of endeavor in providing control of other devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Stenman with the teaching of Shim of a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target equipment in response to a user operation to provide a more user friendly remote control (col. 1, lines 32-58).

Regarding claims 22, 32 and 38, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Col. 3, Lines 22-29 and Col. 7, Lines 56-63), comprising:

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an operation unit having a plurality of operation buttons (Col. 7, Lines 56-63); storage means for storing various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (Col. 3, Lines 30-33 and Col. 7, Lines 56- 63);

and transmission means for transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons (Col. 7, Lines 49-51) when the one button is pressed and when the mobile telephone is set in a first remote control mode (Col. 3, Lines 30-33 and Col. 7, Lines 56-63).

Although Stenman teaches remotely controlling such devices as TV/VCR (Col. 7, Lines 15-21), Stenman does not specifically teach a code definition unit and a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode. Shim, however, teaches teach a first group of remote control codes for a predetermined first controlling operations on the target equipment (Col. 1, Lines 32-58), and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Col. 3, Lines 58-

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60 and Col. 4, Lines 35-42); and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Col. 3, Lines 32-58), and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Col. 3, Lines 58-60 and Col. 4, Lines 35-42).

Stenman and Shim are analogous art because they are from a similar field of endeavor in providing control of other devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Stenman with the teaching of Shim of a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode to provide a more user friendly remote control (Col. 1, Lines 32-58).

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Regarding claims 26 and 36, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Col. 3, Lines 22-29 and Col. 7, Lines 56-63) comprising:

storage means for storing a group of remote control codes for only one predetermined controlling operation to be performed on the target equipment (col. 3, lines 30-33; col. 7, lines 56-63, mobile station with control commands to which a device is responsive);

and transmission means for transmitting to the target equipment remote control codes for only one predetermined controlling operation on the target equipment in response to a user operation (col. 7, Lines 49-65, describe the user able to command the target device with control of touch screen, i.e., a controlling operation to control the piece of equipment).

Although Stenman teaches remotely controlling such devices as TV/VCR (Col. 7, Lines 15-21), Stenman does not specifically teach transmitting a group of remote control codes stored in the storage means in response to a user operation. Shim, however, teaches transmitting a group of remote control codes stored in the storage means in response to a user operation (Col. 1, Lines 32-58).

Stenman and Shim are analogous art because they are from a similar field of endeavor in providing control of other devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Stenman with the teaching of Shim of transmitting a group of remote

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control codes stored in the storage means in response to a user operation to provide a more user friendly remote controlling of devices (Col. 1, Lines 32-58).

Regarding claims 29 and 37, Stenman et al. teaches a remote-controlling method for a mobile telephone with remote-controlling capability which remote-controls target equipment (Col. 3, Lines 22-29 and Col. 7, Lines 56-63), and has an operation unit and storage means for storing various remote control codes associated with a plurality of operation buttons of the operation unit in a one-to-one relationship for various controlling operations on the target equipment (Col. 3, Lines 30-33 and Col. 7, Lines 56-63), and a part of remote control codes of a group of remote control codes for a predetermined controlling operation on the target equipment (Col. 3, Lines 29-33), comprising:

a step of transmitting to the target equipment a remote control code formed by the part of remote control codes stored in the storage means (Col. 7, Lines 49-51) and a remote control code associated with an operation button pressed by a user in advance to perform the predetermined controlling operation on the target equipment in response to a user operation (Col. 7, Lines 56-63).

Although Stenman teaches remotely controlling such devices as TV/VCR (Col. 7, Lines 15-21), Stenman does not teach using a group of remote control codes formed by the part of remote control codes stored in the storage means. Shim teaches using a group of remote control codes formed by the part of remote control codes stored in the storage means (Col. 1, Lines 32-58). Shim, however, teaches using a group of remote

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control codes formed by the part of remote control codes stored in the storage means (Col. 1, Lines 32-58).

Stenman and Shim are analogous art because they are from a similar field of endeavor in providing control of other devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Stenman with the teaching of Shim using a group of remote control codes formed by the part of remote control codes stored in the storage means to provide a more user friendly remote control (Col. 1, Lines 32-58).

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman in view of Shim and further in view of August et al (U.S. Patent No. 5,671,267).

Regarding claim 17, Stenman further teaches wherein the target equipment is a video recording device (Col. 7, Lines 16-18), but does not teach the group of remote control codes forms recording information for recording of a program.

August teaches the group of remote control codes forms recording information for recording of a program (Col. 8, Lines 29-33). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman and Shim with the teachings of August wherein the group of remote control codes forms recording information for recording of a program in order to provide remote control and wireless communications in a single device (Col. 1, Lines 29-33).

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7. Claims 18,21, 25, 28, 31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman in view of Shim and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Regarding claims 18, 21, Stenman and Shim teach the limitations of claims 16/19, but do not teach downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means.

Wall et al teaches downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server (par.20), which is connected to a communications network (par. 20), and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figure 1, pars. 20-23), through the communications network (par. 20), and storing the various remote control codes in said storage means (par. 23).

Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman et al and Shim with the teaching of Wall et al of downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through

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the communications network, and storing the various remote control codes in said storage means so that the remote control device can receive programming via the manufacturers web site (par. 20).

Regarding claim 25, Stenman et al. and Shim teach the limitations of claim 25, but do not teach wherein each remote control code stored in said storage means is received from a server connected to a communications network through the communications network. Wall et al teaches each remote control code stored in said storage means is received from a server connected to a communications network through the communications network (0020, 0023 and Figure 1).

Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. and Shim with the teaching of Wall et al wherein each remote control code stored in said storage means is received from a server connected to a communications network through the communications network so that the remote control device can receive programming via the manufacturers web site (par. 20).

8. Claim 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Regarding claim 28, Stenman and Shim teach the limitations of claims 22/26, but do not teach downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the

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plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means.

9. Claims 31, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Regarding claims 31, 35, Stenman and Shim teach the limitations of claims 29, 32, but do not teach downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means.

Wall et al teaches downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server (par.20), which is connected to a communications network (par. 20), and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figure 1, pars. 20-23), through the communications network (par. 20), and storing the various remote control codes in said storage means (par. 23).

Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman and Shim with the teachings of Wall et al of downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is

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connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means so that the remote control device can receive programming via the manufacturers web site (par. 20).

10. Claims 20,23,24,27,30,33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of August et al. (U.S. Patent No. 5,671,267).

Regarding claims 23, 27 and 33, Stenman et al. further teaches wherein the target equipment is a video recording device (Col. 7, Lines 16-18), but does not teach the group of remote control codes forms recording information for recording of a program.

August teaches the group of remote control codes forms recording information for recording of a program (Col. 8, Lines 29-33).

Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Stenman et al. and Shim with the teaching of August et al. wherein the group of remote control codes forms recording information for recording of a program to provide remote control and wireless communications in a single device (Col. 1, Lines 29-33) .

Regarding claims 20, 24, Stenman et al. and Shim teach the limitations of claims 20, 24, but do not teach wherein the group of remote control codes forms time setting information for setting a time on the target equipment. August teaches wherein the

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group of remote control codes forms time setting information for setting a time on the target equipment. (Col. 8, Lines 29-33).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman and Shim with the teachings of August wherein the group of remote control codes forms time setting information for setting a time on the target equipment to provide remote control and wireless communications in a single device (Col. 1, Lines 29-33).

Regarding claims 30 and 34, Stenman et al. and Shim teach the limitations of claims 30 and 34, but do not teach wherein the group of remote control codes forms time setting information for setting a time on the target equipment. August teaches wherein the group of remote control codes forms time setting information for setting a time on the target equipment. (Col. 8, Lines 29-33).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman and Shim with the teachings of August wherein the group of remote control codes forms time setting information for setting a time on the target equipment to provide remote control and wireless communications in a single device (Col. 1, Lines 29-33).

11. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman in view of Shim in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Regarding claim 39, Stenman et al. teaches a remote control system, comprising:

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a mobile telephone with remote-controlling capability which has an operation unit provided with a plurality of operation buttons, and remote-controls target equipment (Col. 3, Lines 22-29); wherein said mobile telephone comprises:

storage means (Col. 3, Lines 30-33 and Col. 7, Lines 56-63);

and transmission means for transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons when the one button is pressed and when the mobile telephone is set in a first remote control mode (Col. 7, Lines 49-51),

but does not teach a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode.

Shim, however, teaches teach a first group of remote control codes for a predetermined first controlling operations on the target equipment (Col. 1, Lines 32-58), and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Col. 3, Lines 58-60 and Col. 4, Lines 35-42);

and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Col. 3, Lines 32-58), and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Col. 3, Lines 58-60 and Col. 4, Lines 35-42).

Thus, at the time the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman with the teachings of Shim of a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment Col. 1, Lines 32-58);

and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode to provide a more user friendly remote control (Col. 1, Lines 32-58).

Stenman and Shim teach the limitations of claim 39, but do not teach a server which is connected to a communications network, and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment, download means for

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downloading the various remote control codes, the first group of remote control codes, and the part of remote control codes from said server through the communications network, and storing the downloaded codes in said storage means.

Wall, however, teaches a server which is connected to a communications network (par. 20), and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (par. 20 and par. 23), download means for downloading the various remote control codes (par. 20), the first group of remote control codes, and the part of remote control codes from said server through the communications network (par. 20), and storing the downloaded codes in said storage means (0023).

Thus, at the time the invention, it would have been obvious to a person of ordinary skill in the art to modify the teaching of Stenman and Shim with the teachings of Wall with a server, taught by Wall, which is connected to a communications network, and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment, download means for downloading the various remote control codes, the first group of remote control codes, and the part of remote control codes from said server through the communications network, and storing the downloaded codes in said storage means so that the remote control device can receive programming via the manufacturers web site (par. 20).

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Regarding claim 40, the combination discloses claim 39, various control codes associate with plurality of operation buttons to be used to control different operations (Stenman, Col. 3, Lines 30-33 and Col. 7, Lines 56-63).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JULIO PEREZ whose telephone number is (571)272-7846. The examiner can normally be reached on 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK EDOUARD can be reached on (571)272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12/18/2009

/Patrick N. Edouard/

/J. P./

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